



FREDERICK COUNTY PLANNING COMMISSION

May 8, 2019

TITLE: **Spring 2019 Cycle of Water and Sewerage Plan Amendments**

PROJECT INFORMATION:

WS-19-01: Trans-Tech, Inc.

Requesting reclassification of 5.1 acres from Multi-Use (sewer) to S-4
Northwest side of Adamstown Road, 150 feet north of Mountville Road

WS 19-02: Schley Farm Partnership Trust, LLC (Monocacy Gateway)

Requesting reclassification of 77 acres from W-5, S-5 to W-3, S-3
Northwest corner of Schifferstadt Boulevard and East Church Street in the
City of Frederick

WS 19-03: DH Airport Investment, LLC

Requesting reclassification of 7 acres from S-4 to S-3
Northwest side of Silo Hill Parkway in the Town of Emmitsburg

WS 19-04: Division of Planning & Permitting (Ridpath property)

Requesting reclassification of 0.23 acres from W-5 to W-3
South side of Baltimore Road, 300 feet east of Preston Lane

STAFF: Tim Goodfellow, Principal Planner II

RECOMMENDATION: Refer to staff report for recommendations

ATTACHMENTS:

EXHIBIT 1- Staff Report

EXHIBIT 2- Applicants' submissions

Frederick County Division of Planning and Permitting Staff Report

Water and Sewer Plan Amendments Spring 2019 Cycle

- WS 19-01: Trans-Tech, Inc.
- WS 19-02: Schley Farm Partnership Trust, LLC (Monocacy Gateway)
- WS 19-03: DH Airport Investments, LLC
- WS 19-04: Division of Planning & Permitting (Ridpath property)

ISSUE

The Planning Commission is requested to review the amendments for a finding of consistency with the County Comprehensive Plan or a municipal comprehensive plan.

BACKGROUND

The purpose of the Planning Commission's review is to determine whether each amendment request is consistent with the County Comprehensive Plan or the appropriate municipal comprehensive plan. The Land Use Article of the Annotated Code of Maryland defines consistency with the comprehensive plan as addressing the location, character, and extent of the request. A finding with regard to consistency may reference the comprehensive plan map and the text document, specifically the goals and policies. For properties located within a municipality the municipal comprehensive plan and municipal land use plan designation are referenced.

A finding of consistency does not reference whether a case meets the specific criteria, described in the Water and Sewerage Plan, for the requested classification. That determination is made by the County Council in their review.

If the Planning Commission finds a request to be inconsistent with the comprehensive plan then the request is not forwarded to the County Council.

RECOMMENDATION

Staff recommendations are noted in the individual case descriptions.

IV. COUNTY WATER AND SEWERAGE PLAN CLASSIFICATION SYSTEM

A. General

A classification system has been established for properties that will be served by publicly owned community water and sewer systems. The classification system reflects a progression toward the attainment of public water and sewer service so as to implement the County Water and Sewerage Plan, as well as County or municipal Comprehensive Plans.

The classification system is designed to show need and intent of the County, its municipalities and the private developer for establishing or extending publicly-owned community water and sewer systems.

Classifications which indicate anticipated improvements within the next six (6) years should be part of an action plan to be implemented within the constraints of funding and various required agreements and approvals. The classification system is not intended to prevent development of publicly-owned community water and/or sewerage systems or facilities prior to or later than the time periods indicated; rather it is the best estimate at the time of adoption as to when such development may be expected to occur. Every effort should be made by the County, municipalities, and developers to progress with water and sewer projects to the point that construction may occur in accordance with the Plan. However, after having achieved one level, there is no guarantee that the next level classification will be granted.

B. Water and Sewerage Plan Classifications:

Tracts of land where publicly-owned community water and/or sewer facilities are proposed to be extended by developers or where the County or municipalities anticipate that development may occur within 20 years may be assigned a classification with the suffix "Development" or "Dev.". A "Dev." designation means that the extension or construction of publicly-owned community systems or facilities is dependent upon developer or land owner action and funding.

The year of adoption of a piecemeal Water and Sewerage Plan amendment is noted within the water and sewer classification designations for properties in 4 and 3 categories, (e.g. 90-S-3 means the sewer priority classification of S-3 was approved by the County in 1990).

NPS – No Planned Service:

A classification assigned during the Comprehensive Planning Process to land, which is not planned or projected to be served by publicly-owned community water or sewer systems within the timeframe of the current County Comprehensive Plan.

PS – Planned Service:

A classification assigned during the Comprehensive Planning Process to an area shown on the Comprehensive Plan for growth utilizing publicly-owned community water and/or sewer systems, or within the Community Growth boundary of a community to be served by public water and sewer in the adopted County Comprehensive Plan, within the 11-20 year time period. Properties within this classification have designations other than Agricultural/Rural or Natural Resource on the County Comprehensive Plan.

S-5/W-5 – Mid-Range Plan Phase:

A classification assigned through the Comprehensive Planning Process where improvements to, or construction of, publicly-owned community sewerage or water

systems are planned within the 7-10 year time period. Properties classified S-5/W-5 are not required to, but may, connect to the community system. Properties requesting this classification shall meet the following criteria:

- a. Have a land use plan designation other than Agricultural/Rural or Natural Resource on the County Comprehensive Plan.
- b. Have zoning other than Agricultural or Resource Conservation.
- c. If located within a municipality where the municipality provides community water and sewer, the property shall be designated in the municipal plan to be provided services in the 7-10 year time frame.
- d. Be located within a Planned Service Area as shown on the Frederick County Water and Sewerage Plan map.
- e. Demonstrate that there is sufficient capacity planned in the systems serving the property within the 7-10 year period.

This classification may be assigned through the piecemeal application process to property:

- 1) Annexed into a municipal corporation; or
- 2) Granted a Planned Unit Development (PUD) or Mixed Use Development (MXD) floating zone classification; or
- 3) Zoned Agricultural, if all the criteria set forth above and in Section II (E)(8) are satisfied; or if applicable, Section II (E)(7) are satisfied; or
- 4) To provide public water and/or sewer service to Public Service Facilities, if applicable criteria in Section II (E) (8) are satisfied.

S-4/W-4 – Concept Evaluation Phase:

A classification assigned through the piecemeal application process to properties having an S-5/W-5 classification, and designated residential, commercial, or industrial, or in general, a category other than Agricultural/Rural or Natural Resource on the most recently adopted County Comprehensive Plan, and where improvements to, or construction of, publicly-owned community sewerage or water systems are planned within the 4-6 year time period. Properties classified S-4/W-4 shall connect to the public system when service lines abut the property. Properties requesting this classification shall meet the following criteria:

- a. The criteria required for the S-5/W-5 classification have been met.
- b. The application shall include documents that show conceptually how the applicant plans extensions of water and sewer lines to serve the property, including topographic information from appropriate sources and an estimate of construction costs. Water concept submissions shall consider the County's water pressure zones to develop the concept, e.g., water booster pumping stations or pressure reducing valves. Sewerage concepts shall consider gravity service as the preferred method (see II (E) (5) (E)). All concept plans shall distinguish between County planned and developer provided facilities.

- c. Adequate capacity shall exist or be programmed within the County or a municipal CIP for the system, which will serve the site. If adequate capacity does not exist, the property owner will either wait for public improvements to be programmed or propose how such service can be provided by the developer/applicant.
- d. After a S-4/W-4 classification has been granted, an application may be submitted to the Maryland Department of the Environment for Water and/or Sewerage construction permits, as applicable.

S-3/W-3 – Preliminary Design Phase:

A classification assigned through the piecemeal application process to properties where improvements to, or construction of, publicly-owned community sewer or water systems are planned to be completed and operational within 3 years. If applicant has not obtained approved water and sewer improvement plans for onsite work within three years or the Preliminary Plan/Site Plan/Phase II Plan expires, they may lose their “3” classification and revert to the “4” classification at the next amendment cycle. Properties classified S-3/W-3 shall connect to the public system when service lines abut the property. Properties requesting this classification shall meet the following criteria:

- a. Criteria required for the S-4/W-4 classification have been complied with.
- b. Applicant shall provide a study of the components of the existing water and wastewater system and identify inadequacies that may result from the development of the property. This study may be performed in conjunction with the *Adequate Public Facilities Ordinance* (APFO) studies.
- c. A preliminary subdivision plan, site plan, or Phase II Plan (in the case of PUDs and MXDs) has been approved by the Planning Commission.
- d. A discharge permit, where appropriate, has been approved by all appropriate State agencies.
- e. A hydrogeologic study, where appropriate, supports the establishment of a community water system, which will not be detrimental to adjoining wells or surface waters. The hydrogeologic study is typically required to appropriate both ground (well) or surface waters. A Water Appropriation and Use Permit, where appropriate, has been approved by all appropriate State agencies.
- f. If County funded CIP project(s) are needed to provide service, then construction funds for each project must be contained in the first or second year of the County's approved CIP.
- g. If service is to be provided by developer initiated and funded projects, the developer must have approved and signed water/sewer improvement plans and an approved cost proposal for all improvements required to bring adequate water and sewer service to the site. This “service to the site” requirement is considered “met” if adequate water and sewer lines abut the site and are located within a public right-of-way or a public water/sewer

easement which abut the site.

- h. Satisfaction of Items f. and g. will create a rebuttable presumption in favor of the applicant that service will be available within 3 years.

S-2/W-2 – Engineering Phase:

This classification is not mapped. Properties are assigned this category by County staff and shall meet the following criteria:

- a. All criteria required for the S-3/W-3 classification have been complied with.
- b. Improvement plans for water and sewer lines and preliminary design of treatment plants and other infrastructure, as appropriate, have been approved.
- c. Location of facilities, i.e. tanks, pumping stations, treatment plants have been located on the Water and Sewerage Map by prior amendment.
- d. Properties classified S-2/W-2 shall connect to the publicly owned system when service lines abut the property.

During the S-2/W-2 phase, final construction design drawings and documents are prepared, rights-of-way are determined and the necessary acquisitions are pursued, various construction related permits are applied for and obtained, a public works agreement, allocation of taps including multi-year tap agreements and improvement guarantees are approved. Final plats may then be recorded, where appropriate.¹

S-1/W-1 – Existing Service:

A classification assigned to properties where publicly-owned community sewer or water systems are existing and are connected to and serving a structure on the property. Properties are assigned this classification by County staff to reflect projects recently completed or structures connected to the public water or sewer system. The County Water and Sewerage Plan map will be revised to reflect this status at regular updates.

Multi-Use Water System:

A classification assigned during the piecemeal application process to a single parcel or lot utilizing a water supply system having the capacity to supply more than 5,000 gallons of water per day and serves a number of individuals.

Multi-Use Sewerage System:

A classification assigned during the piecemeal application process to a single parcel or lot having a maximum discharge or output capacity in excess of 5,000 gallons per day.

¹ See Sec. 1-16-106 of the County Code for additional requirements.

WATER & SEWERAGE PLAN AMENDMENTS
Spring 2019 Cycle

STAFF REPORT

Case # WS-19-01

APPLICANT: Trans-Tech, Inc.

REQUEST: Reclassify Parcel 708 (5.1) acres from Multi-Use (sewer) to S-4.

LOCATION: Northwest side of Adamstown Road, 150 feet north of Mountville Road
(Tax Map 103, Parcel 708. Property ID#01-005936)

Comprehensive Plan — Limited Industrial (LI)

Zoning — Limited Industrial (LI)

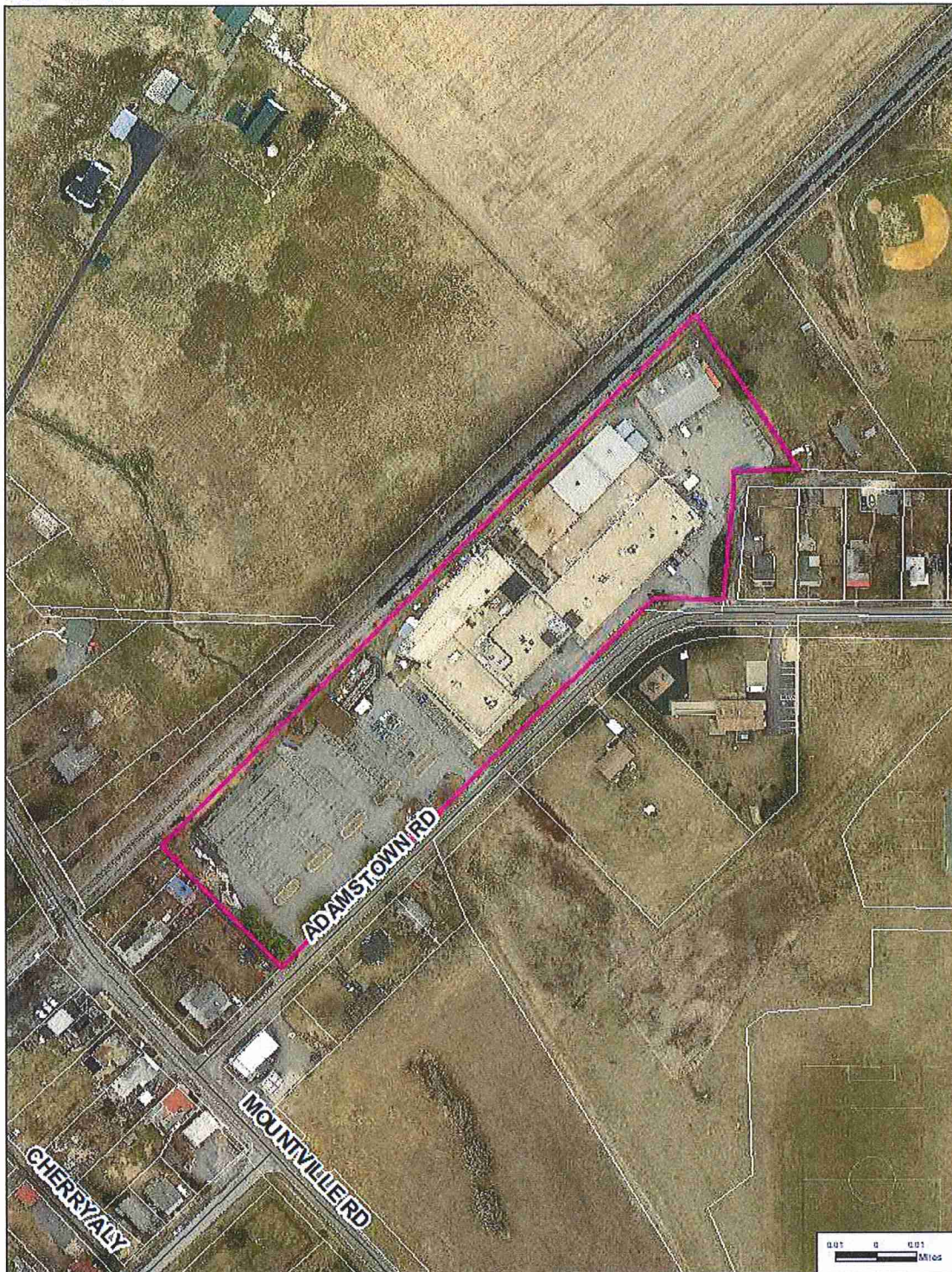
Development Status — Trans-Tech is a manufacturing facility that produces technical ceramic materials and components for a wide variety of electronic products and applications, including 5G infrastructure, aerospace, military, and wireless communications. The facility has been in Adamstown since 1980, and is a subsidiary of Skyworks Solutions.

Water & Sewerage Plan Status — A small, private wastewater plant treats the process wastewater and sanitary wastewater from the entire Trans-Tech facility and its operations through discharge permits (13-DP-1841, MD0058611) from the Maryland Department of the Environment. The facility will abandon its 38-year old wastewater treatment plant and connect to the County's 8-inch gravity sewer line that will run from the vicinity of Mountville Road and Adamstown Road southward to the existing Doubs Road sewage pump station. Ultimate treatment occurs at the regional Ballenger-McKinney Wastewater Plant. The 8-inch sewer line that Trans-Tech will utilize will be a County CIP project to provide public sewer service for older sections of Adamstown that rely on septic systems. Anticipated construction is 2021.

STAFF RECOMMENDATION:

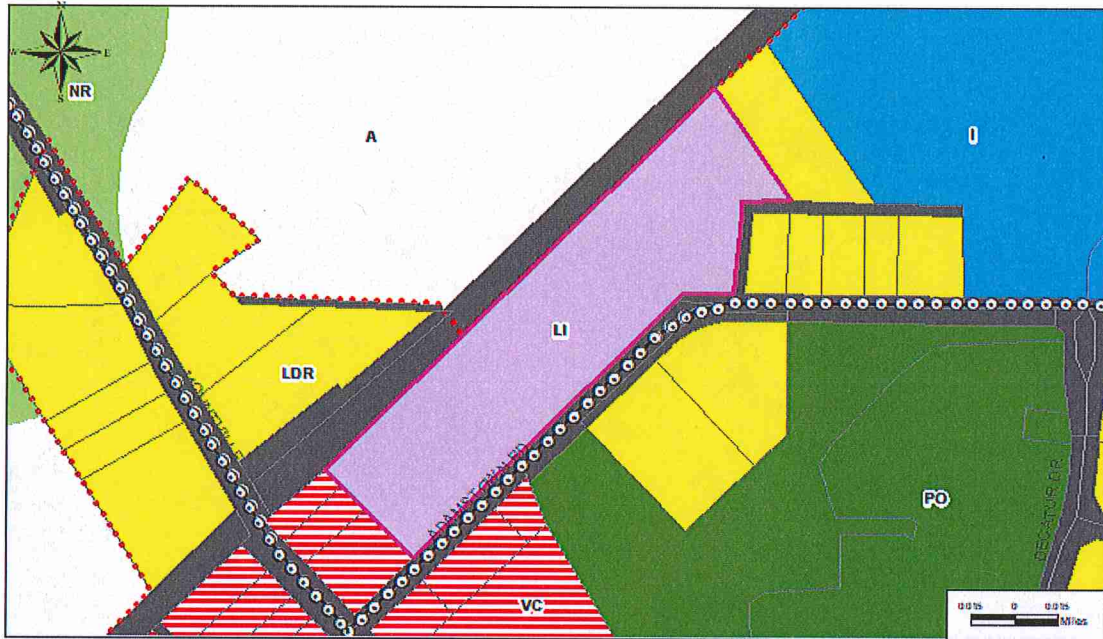
The subject property is located within the Adamstown Community Growth Area and within a sewer service area. Staff recommends the Planning Commission make a finding of consistency with the County Comprehensive Plan.

WS 19-01

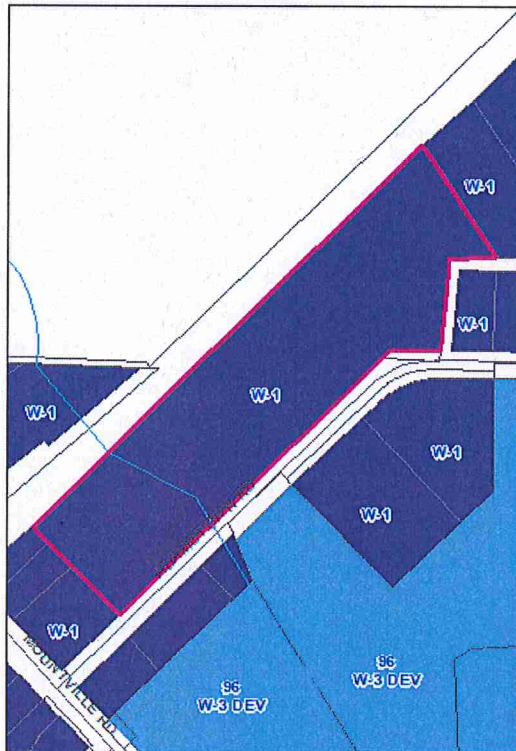


WS 19-01

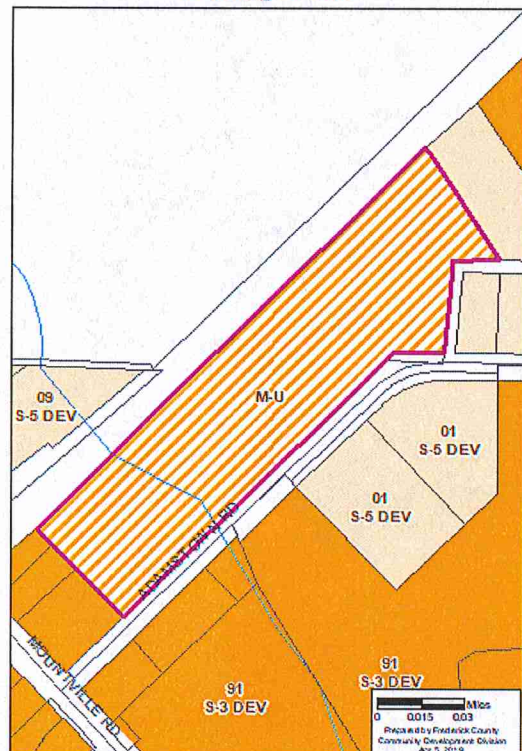
Comprehensive Plan



Water Plan



Sewerage Plan



WATER & SEWERAGE PLAN AMENDMENTS
Spring 2019 Cycle

STAFF REPORT

Case # WS-19-02

APPLICANT: Schley Farm Partnership Trust, LLC (Monocacy Gateway)

REQUEST: Reclassify Parcel 1357 (77 acres) from W-5/Dev, S-5/Dev. to W-3/Dev., S-3/Dev.

LOCATION: Northwest corner of Schifferstadt Boulevard and East Church Street in the City of Frederick
(Tax Map 414, Parcel 1357. Property ID#02-218402)

Comprehensive Plan — Office/Industrial and General Commercial (City Comprehensive Plan, 2010)

Zoning — Light Industrial (M-1) and General Commercial (GC) [City Zoning Districts]

Development Status — The City Planning Commission granted approval in October 2018 to the Monocacy Gateway Preliminary Subdivision Plat, an 8-lot development for manufacturing, warehouse, retail and commercial uses.

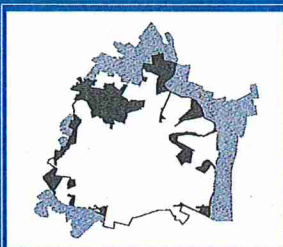
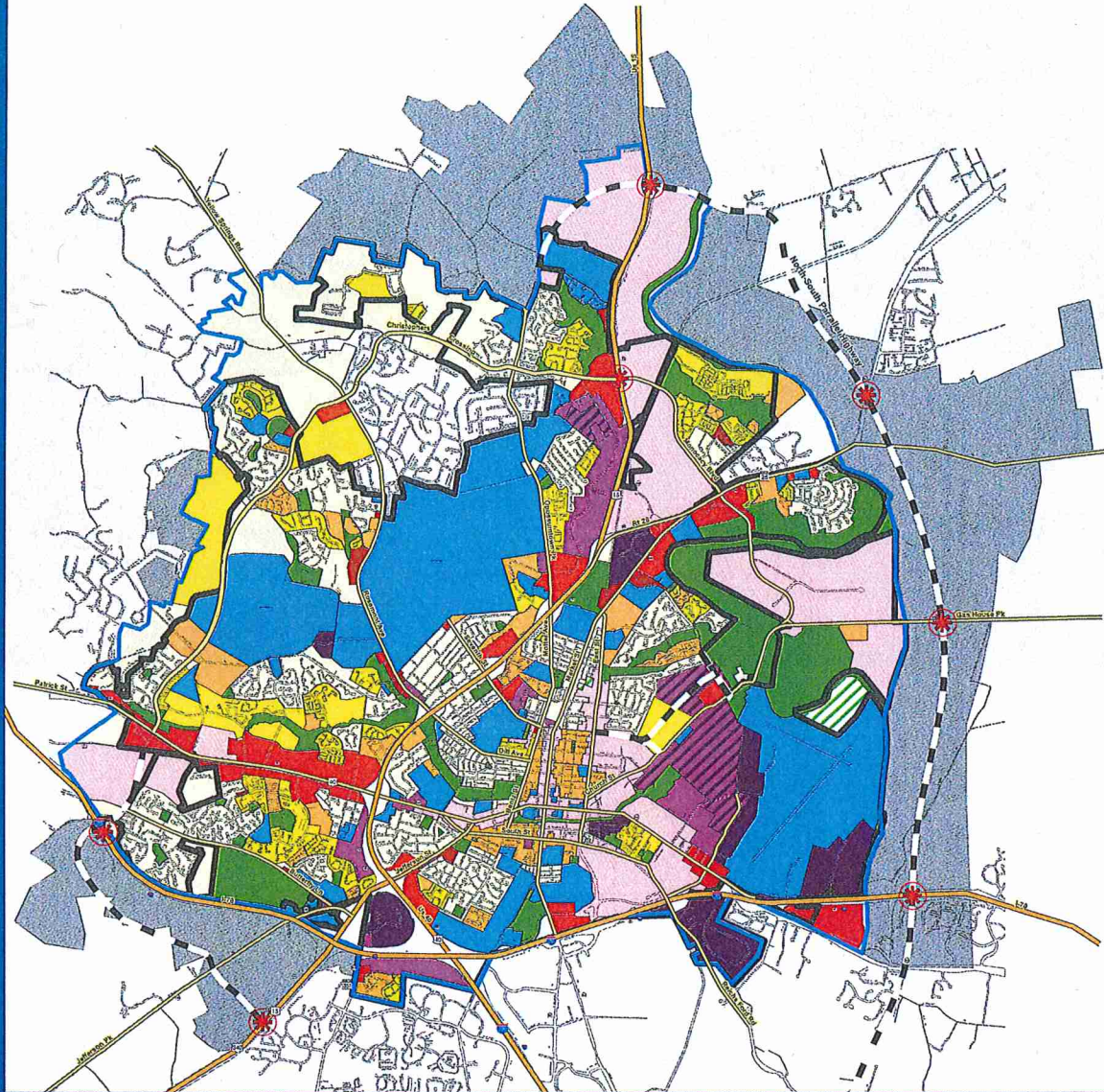
Water & Sewerage Plan Status — The project will include an eight (8) inch water line extension from both the 12-inch water line along East Church Street and the 16-inch water line along Schifferstadt Boulevard. Sewer service will be provided through an extension of an existing 8-inch sewer line from the adjacent Rivercrest residential subdivision, as well as a connection to the existing 33-inch sewer main located on the southeast corner of the property. The City has granted provisional APFO approval for sewer line capacity, and full APFO approval for water line capacity for the Monocacy Gateway project.

STAFF RECOMMENDATION:

The subject property is located within the City of Frederick and a water and sewer service area. Staff recommends the Planning Commission make a finding of consistency with the City of Frederick Comprehensive Plan.



City of Frederick Comprehensive Plan Map, 2010



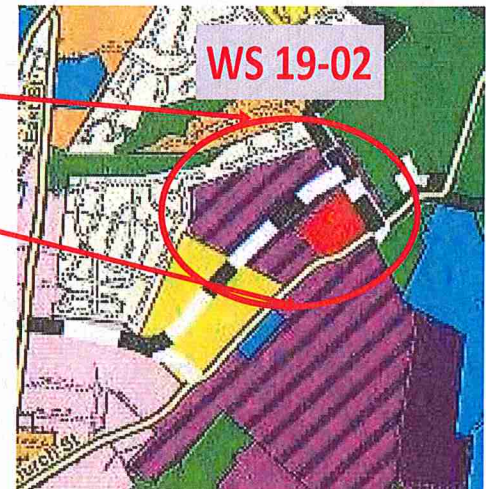
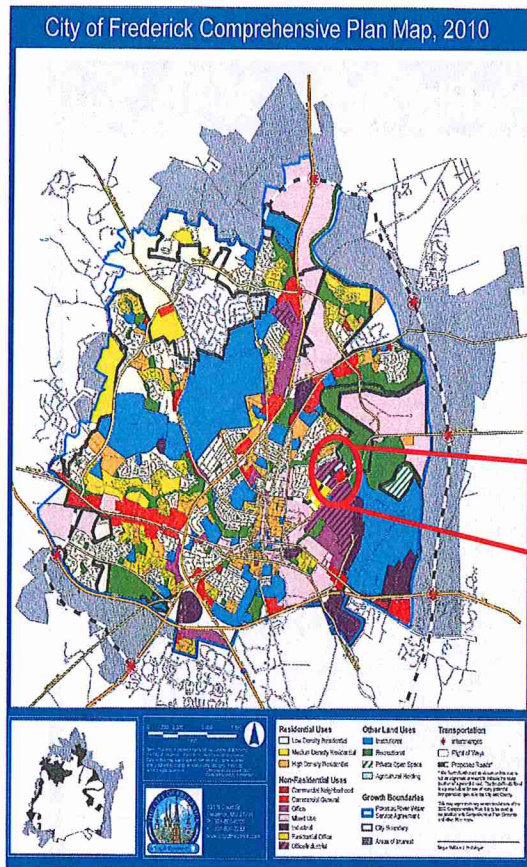
0 1,250 2,500 5,000 7,500 Feet

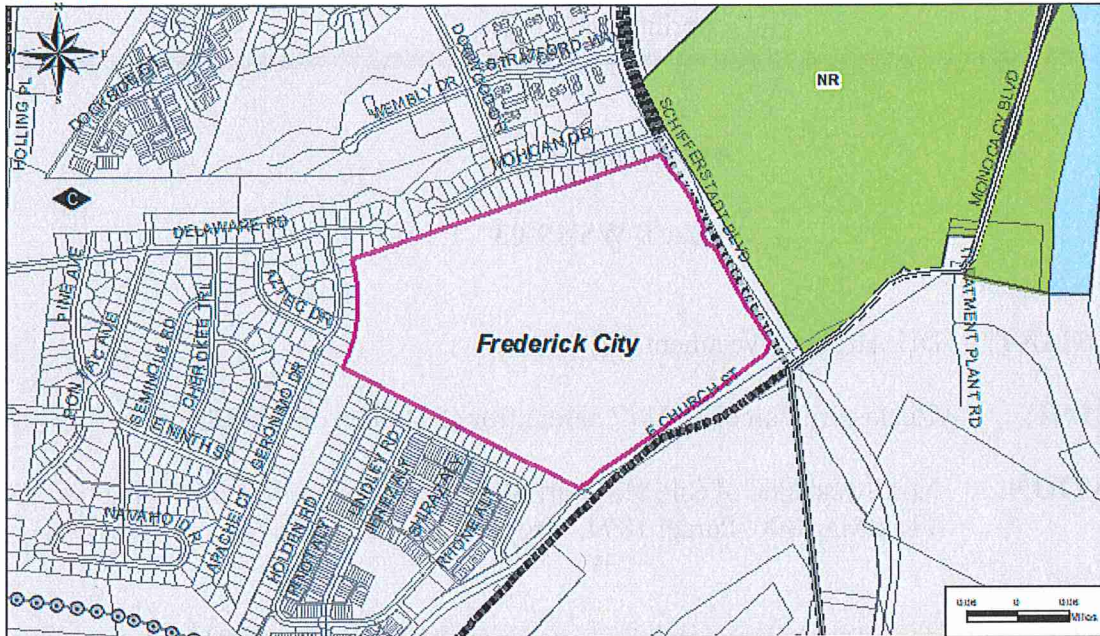
Note: This map is prepared solely for the purpose of illustrating the City of Frederick. It should be used for no other purpose. Data on this map was prepared from several original sources and is subject to change as source data changes. This map is not a legal document. City of Frederick, Maryland 21701

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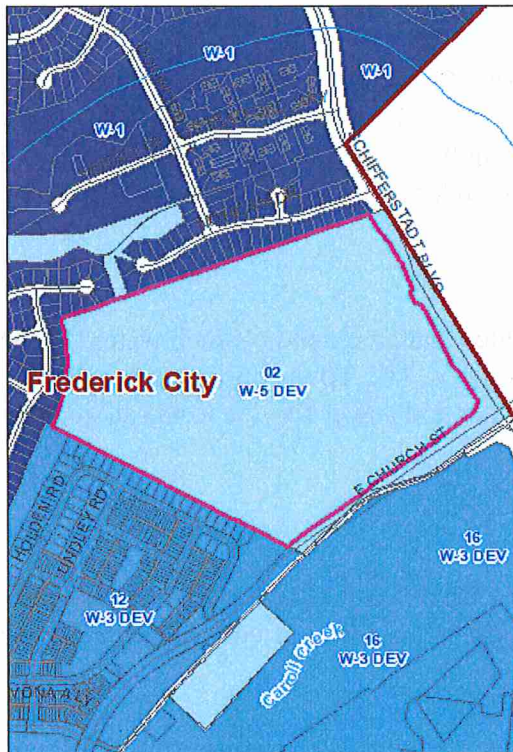
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Residential Uses <ul style="list-style-type: none"> Low Density Residential Medium Density Residential High Density Residential 	Other Land Uses <ul style="list-style-type: none"> Institutional Recreational Private Open Space Agricultural Holding 	Transportation <ul style="list-style-type: none"> Interchanges Right of Ways Proposed Roads*
Non-Residential Uses <ul style="list-style-type: none"> Commercial Neighborhood Commercial General Office Mixed Use Industrial Residential Office Office/Industrial 	Growth Boundaries <ul style="list-style-type: none"> Potomac River Water Service Agreement City Boundary Areas of Interest 	<p>* The North/South road as shown on this map is not an alignment or meant to indicate the exact location of a potential road. The North/South Road is a placeholder for one of many potential transportation options in the City and County.</p> <p>This map represents key recommendations of the 2010 Comprehensive Plan. It is to be used in conjunction with Comprehensive Plan Elements and other Plan maps.</p> <p>Mayor William J. Holzinger</p>

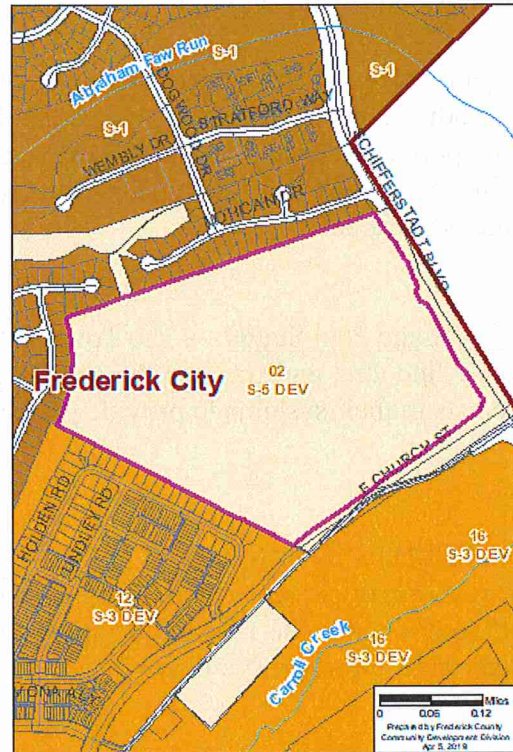




Water Plan



Sewerage Plan



WATER & SEWERAGE PLAN AMENDMENTS
Spring 2019 Cycle

STAFF REPORT

Case # WS-19-03

APPLICANT: DH Airport Investment, LLC

REQUEST: Reclassify Parcel 1894 (7 acres) from S-4/Dev. to S-3/Dev.

LOCATION: Northwest side of Silo Hill Parkway in the Town of Emmitsburg
(Tax Map 300, Parcel 1894. Property ID#05-588367)

Comprehensive Plan — Town Commercial (Town Comprehensive Plan, 2015)

Zoning — General Business (B-2) [Town Zoning]

Development Status — The subject property is described as the 7-acre “Remainder North” in the Silo Hill Subdivision. An existing car wash facility on the Remainder North parcel is connected to the Town’s public water and sewer system, and is now classified “S-1.” The Town’s Planning Commission has approved a subdivision of the Remainder North parcel to create lots 3 and 4, plus a new remainder parcel.

Water & Sewerage Plan Status — The Town indicates that an existing 8-inch water line and an 8-inch sewer line abut and traverse the subject property. The Town further states that sufficient capacity exists in their systems to provide public water and sewer service to the subject property.

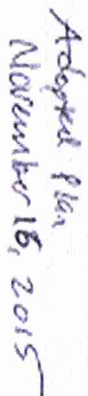
STAFF RECOMMENDATION:

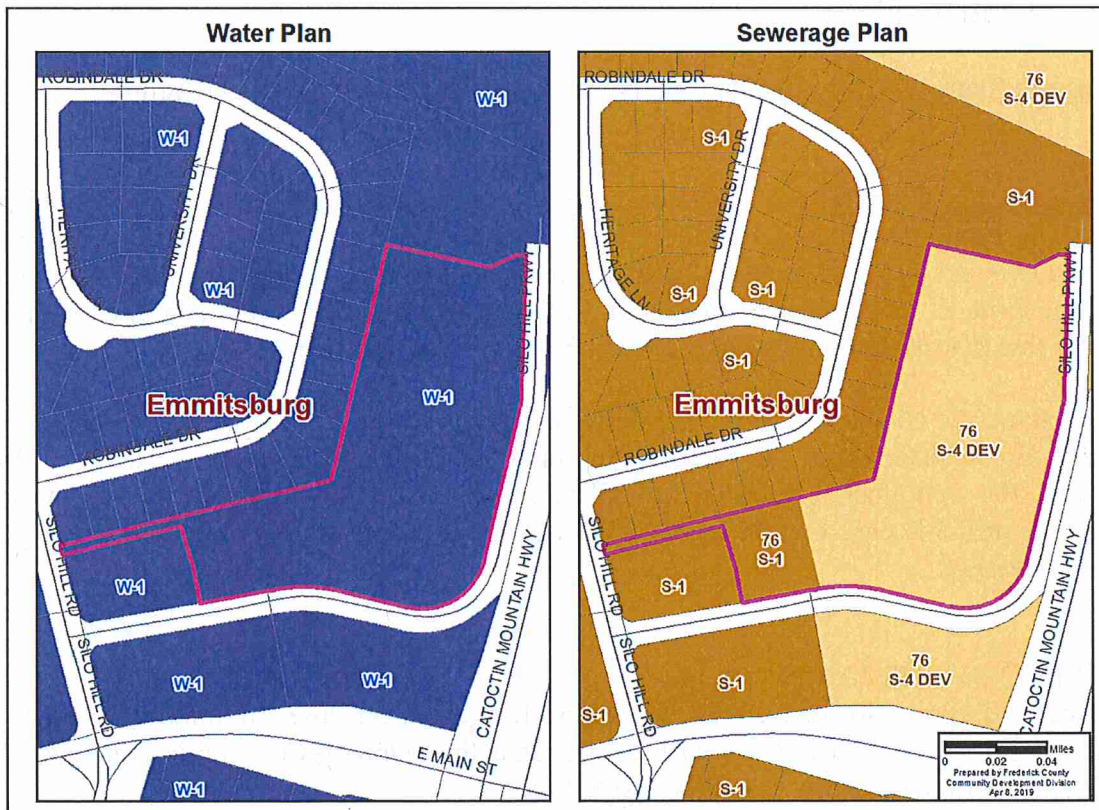
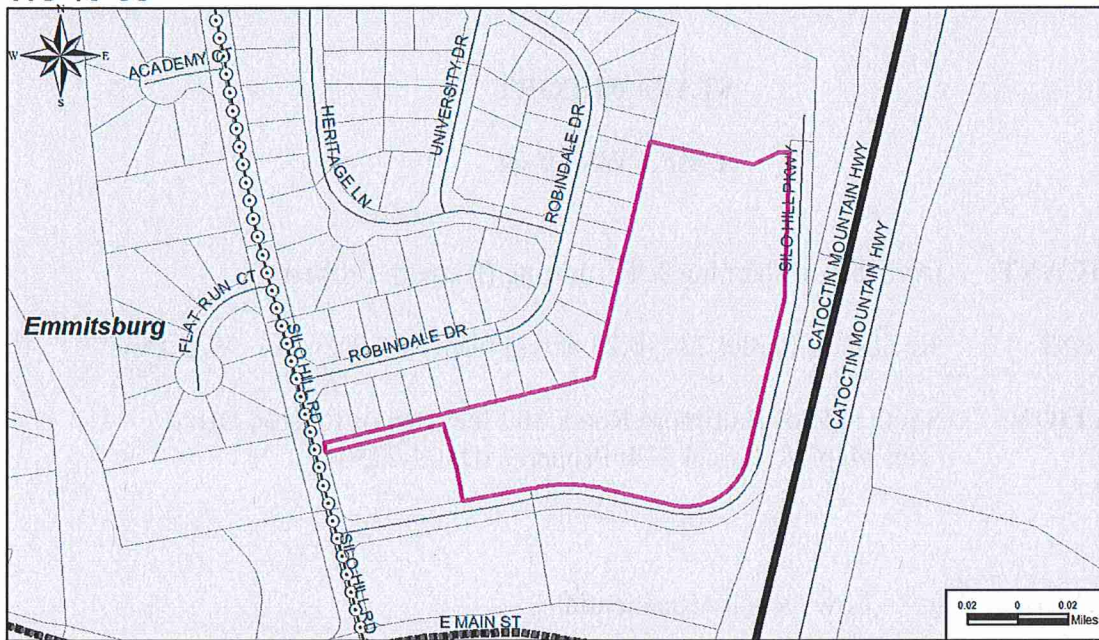
The subject property is located within the Town of Emmitsburg and a water and sewer service area. Staff recommends the Planning Commission make a finding of consistency with the Town of Emmitsburg Comprehensive Plan.

WS 19-03



Town of Emmitsburg
Comprehensive Plan
Frederick County, Maryland





WATER & SEWERAGE PLAN AMENDMENTS
Spring 2019 Cycle

STAFF REPORT

Case # WS-19-04

APPLICANT: Division of Planning & Permitting (Ridpath Property)

REQUEST: Reclassify Parcel 234 (0.23 acres) from W-5/Dev. to W-3/Dev.

LOCATION: South side of Baltimore Road, 300 feet east of Preston Drive
(Tax Map 78, Parcel 234. Property ID#09-223886)

Comprehensive Plan — Low Density Residential

Zoning — R-3 Residential

Development Status — The subject property is developed with a residential dwelling.

Water & Sewerage Plan Status — The property utilizes a private well and an individual septic system. The Frederick County Health Department has indicated that the existing well on the property shows evidence of bacterial contamination, and drilling a new well is not a viable or optimal scenario. A water service connection to the property can be made from the existing 24-inch water line that runs along Baltimore Road, in front of the property.

Prior to making the connection to the public water line, the private well on the property must be physically disconnected from the interior plumbing and, per State regulations under COMAR 26.04.04.11, the well must be subsequently abandoned and sealed by or under the supervision of a master well driller licensed by the State of Maryland or a representative of the Frederick County Health Department.

STAFF RECOMMENDATION:

The subject property is located within the Spring Ridge-Bartonsville Community Growth Area and a water and sewer service area. Staff recommends the Planning Commission make a finding of consistency with the County Comprehensive Plan.

WS 19-04

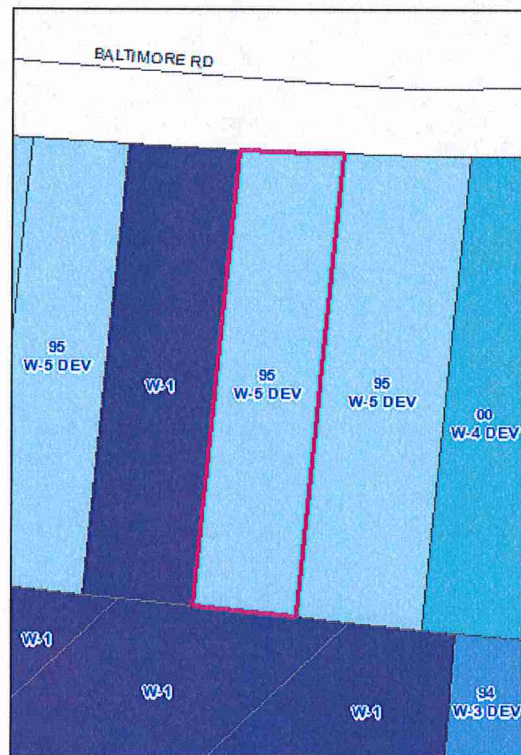


WS 19-04

Comprehensive Plan



Water Plan



Sewerage Plan

